

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 1:09CR151

JAIME G. ALVARAZ

ORDER

This cause is before the Court on defendant Alvaraz's Motion for Continuance [17]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The defendant seeks a continuance of the trial set to commence on April 19, 2010. Defense counsel avers that he is engaged in plea negotiations with the government and that a continuance of the trial date in this matter would prove helpful in finalizing a plea agreement. The government has no objection to the relief requested. Based on the foregoing, the Court finds that the defendant's motion is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(7)(A), the period of delay from April 19, 2010 until the new trial date to be set in this matter. The time is excludable under subsection (h)(7)(A) because, given the circumstances described above, a continuance is necessary to afford the parties an opportunity to resolve this matter without a trial. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. Defendant Alvaraz's Motion for Continuance [17] is GRANTED;
2. That the trial of this matter is continued until Monday, July 19, 2010 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from April 19, 2010 until July 19, 2010 is excluded as set out above;
4. That the deadline for filing pretrial motions is June 28, 2010;
5. That the deadline for submitting a plea agreement is July 6, 2010.

SO ORDERED, this the 15th day of April, 2010.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE